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T-582 P.01/06 F-183

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TO: Mail Stop **ISSUE FEE**
Commissioner for PatentsTELEPHONE:
FAX: (703) 746-4000**MESSAGE****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Richard J. Bacon

Examiner:

Lulit Semunegus

Art Unit:

3641

Serial No.: 09/912,078

Confirmation No.: 3350

Filed: July 24, 2001

Any. Docket No.: 67228-274933

For: CREATING IMBALANCED THRUST IN A CENTER LINE MOUNTED MULTI-ENGINE JET
AIRCRAFT CONFIGURATION AND A METHOD OF USING IMBALANCED THRUST**CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8**

I HEREBY CERTIFY THAT THE ATTACHED payment of Issue Fee & Publication Fee and Comments on Statement of Reasons for Allowance (37 CFR 1.1.04(3)) IS BEING FACSIMILE TRANSMITTED TO THE UNITED STATES PATENT AND TRADEMARK OFFICE
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Michelle L. Wyss

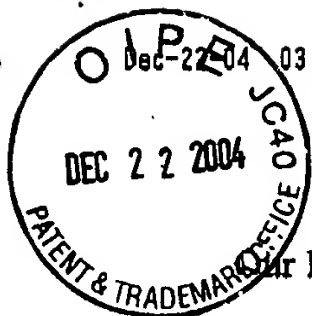
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03:25pm

From-FAEGRE&BENSON LLP

3036073600

T-582 P.04/06 F-183

Patent Docket No: 67228-274933 (f/k/a 19059.010)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)		
Richard J. BACON)	Examiner:	SEMUNEGUS, Lulit
Application No: 09/912,078)	Art Unit:	3641
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For: CREATING IMBALANCED THRUST IN)		
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ENGINE JET AIRCRAFT)		
CONFIGURATION AND A METHOD)		
OF USING IMBALANCED THRUST)		

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COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE
(37 CFR 1.104(e))

Sir:

As an initial matter, the undersigned would like to thank the Examiner for her thorough search and examination of the above-captioned application and the allowance of claims 1, 3-10 and 34-45 in the Notice of Allowability, mailed September 27, 2004.

In view of the nature of the subject matter, the undersigned appreciates the difficulty of preparing a precise summary of reasons for allowance. For purposes of preserving the Applicant's rights and in an effort to make the record clear for those that may later view the file wrapper, the undersigned submits herein a statement commenting on the reasons for allowance and respectfully requests that it be made of record.

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Statement Commenting on the Reasons for Allowance

1. In her statement as to the reasons for allowance ("Statement"), the Examiner indicated "no Jet aircraft configuration exists comprising an airframe having a centerline along its longitudinal axis with a first and second jet engines mounted within a plane vertical to the centerline and wherein the jet engines are equally powered engines." While this is important to an understanding of the claimed invention, it should be pointed out that no allowed independent claim reads precisely as recited by the Examiner in her Statement. The claims should be construed in accordance with the elements expressly recited therein and as a result, no claim should be construed to be precisely as recited by the Examiner in her Statement.

2. As understood by the Applicant and as evidenced by the Examiner's amendment, the Examiner allowed claims 1, 3-10 and 34-45 not only because of the Examiner's indication in her Statement as described in paragraph numbered 1 above, but also at least in part due to the concept of a thrust differential existing between two otherwise equally powered centerline mounted engines as a result of a different power setting on one (or otherwise limiting the maximum thrust capability of one) of the two otherwise equally powered engines.

During prosecution of the present application, this concept was expressed with various other claim formulations, none of which are intended to be disclaimed by virtue of having selected the particular formulation preferred and now allowed by the Examiner in claims 1, 3-10 and 34-45.

The undersigned would like to make the record clear that the various other earlier presented claim formulations were intended by the Applicant to express the same general concept in other verbal formulations. The selection of the particular expression favored and/or best comprehended by the Examiner should not be considered an amendment related to patentability, but rather a clarification to assist the Examiner's understanding and facilitate early allowance. It should be noted that there were no objections made by the Examiner (either of the prior-art type,

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or of the non-prior-art type) that would have necessitated any amendment to narrow either the scope of the claimed invention or the range of equivalents; and it is not the Applicant's intent that the amendments in this case be considered such a narrowing amendment. Consequently, as reasonably construed, the Applicant believes that the previously presented claim formulations are encompassed by one or more of the allowed claims. The Applicant reserves the right to present other claim formulations in one or more continuing patent applications if the Applicant should consider it useful thereby better to perfect or set forth its rights to the full extent of the Applicant's invention.

Respectfully submitted,

FAEGRE & BENSON LLP
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Date: December 22, 2004

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